

MISCELLANEOUS DOCKET  
UNITED STATES DISTRICT COURT

DOCKET  
NO.

M-1546-B

TITLE OF CASE		ATTORNEYS			
<p>BRAUNSTEIN, LESTER and HOBERMAN, BEN</p> <p>vs.</p> <p>LEAKE, JAMES C. and ANTIQUES, INC., an Oklahoma corporation</p>		<p style="text-align: right;"><i>MR</i></p> <p>For plaintiff:</p> <p>Mark A. Edmiston Steven M. Harris Douglas R. Haughey P.O.Box 1679/2431 E. Suite 61 St Tulsa, OK 74101 Tulsa, OK 74136 (918)743-1276</p> <p>For defendant:</p> <p>William M. Bonney (Ant., Inc.) <del>436 Court Street</del> Muskogee, OK 74401 <del>(918)683-3302</del> <del>(918)683-3302</del> <del>(918)583-3288 (11-24-89)</del></p> <p>417 Wall Street P.O.Box 1548 Muskogee, OK 74402-1548 (918)683-3302</p>			
MEMORANDA		DATE	NAME OR RECEIPT NO.	RECEIVED	DISBURSED
DATE	PROCEEDINGS				Date Order or Judgment Noted
7-31-89	<p>CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER DISTRICT, from U.S. Dist. Crt. Central Dist. of Calif., judgment is in favor of the pltf's against defts in the amt. of \$200,000.00 plus interest at 10% per annum from 10/82/86 to 5/22/89 in the sum of \$54,719.00 for a total of \$254,719; which sum is multiplied threefold for a total sum of \$764,157.00 together w/costs, incldg a reasonable attorney's fee in the amt. of \$50,000.00. (M. Eugene, Deputy Clk.) dh</p>				

DATE	PROCEEDINGS	Date Order or Judgment Noted
1989 8-24	AMENDED Cert. of Jdgmt for Regist in another dist. (M. Eugene, Deputy Clk.) dh	
8-28	<b>AFFIDAVIT</b> Of j'mt of Douglas R. Haughey. nm	
8-28	<b>GARNISHMENT AFFIDAVIT</b> of Douglas R. Haughey re: Citizens National Bank & Trust of Muskogee re: deft Antiques, Inc. nm	
8-28	<b>GARNISHMENT AFFIDAVIT</b> of Douglas R. Haughey re: Commercial Bank & Trust Co. re: deft Antiques, Inc. nm	
8-28	<b>GARNISHMENT AFFIDAVIT</b> of Douglas R. Haughey re: Citizens National Bank & Trust re: deft James C. Leake. nm	
8-28	<b>GARNISHMENT AFFIDAVIT</b> of Douglas R. Haughey re: Commercial Bank & Trust re: James C. Leake. nm	
8-31	RETURN on Garnishment Summons, srvd Terry Smethers, VP of Citizens Natl Bk & Trust Co of Muskogee on 8-29-89. dh	
8-31	RETURN on Garnishment Summons, srvd Wayne Wilburn, Sr. VP of Commercial Bk & Trust Co, Muskogee, OK on 8-29-89. dh	
8-31	RETURN on Garnishment Summons, srvd Wayne Wilburn, Sr. VP of Commercial Bk & Trust Co, Muskogee, OK on 8-29-89. dh	
8-31	RETURN on Garnishment Summons, srvd Terry Smethers, VP of Citizens Natl Bk & Trust Co of Muskogee on 8-29-89. dh	
9-05	APPLICATION of pltf's for citation/compel attndnc of defts & witness FRCP 69(a), 12 OS Sec 842 & 12 OS Sec 848. dh	
9-05	BRIEF IN SUPPORT of pltf's applic for cit/compel attndnc of defts & witn. dh	
9-05	ORDER to appr bfr Mag Wagner on 10-18-89 at 9:00 am & answ as to the defts' assets (To: W.M."Mac" Durnil, II)(JLW-MAG) c/m dh	
9-05	ORDER that Antiques, Inc. c/o J.C.Leake to appr bfr Mag Wagner on 10-18-89 at 9:00 am & answ as to the defts' assets. (JLW-MAG) c/m dh	
9-05	ORDER that James C. Leake to appr bfr Mag Wagner on 10-18-89 at 9:00 am & answ as to the defts' assets. (JLW-MAG) c/m dh	
9-11	ANSWER of GARNISHEE, Citizens Natl Bk & Trust of Muskogee, OK dh (\$6,228.45)	
9-11	<b>GARNISHEE'S ANSWER.</b> nm	
9-28	GARNISHMENT AFFIDAVIT on Douglas R. Haughey. dh S/I.(Commercial Bank & Trust Co.)	
9-28	GARNISHMENT AFFIDAVIT on Douglas R. Haughey. dh S/I.(The First National Bank & Trust Co. of Tulsa)	
9-28	GARNISHMENT AFFIDAVIT on Douglas R. Haughey. dh S/I.(Fourth National Bank of Tulsa)	

BRAUNSTEIN, LESTER, et al  
vs.  
LEAKE, JAMES C., et al

M-1546-B

D. C. 110A Rev. Civil Docket Continuation

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<u>1989</u>		
9-28	GARNISHMENT AFFIDAVIT on Douglas R. Haughey. S/I (Commercial Bank & Trust Co.) dh	
9-28	GARNISHMENT AFFIDAVIT on Douglas R. Haughey. S/I (Fourth National Bank of Tulsa) dh	
9-28	GARNISHMENT AFFIDAVIT on Douglas R. Haughey. S/I (The First National Bk. & Trust Co. of Tulsa) dh	
10-3	ANSWER OF GARNISHEE, Fourth National Bk of Tulsa. dh (James C. Leake)	
10-3	ANSWER OF GARNISHEE, Fourth National Bk of Tulsa. dh (Antiques, Inc.)	
10-3	RETURN on grnshmt summons; srvd Charles Gotwals, VP of 1st Natl Bk & Trust Co. of Tulsa, OK on 9-29-89. dh (Antiques, Inc.)	
10-3	RETURN on grnshmt summons; srvd Charles Gotwals, VP of 1st Natl Bk & Trust Co. of Tulsa, OK on 9-29-89. dh (James C. Leake)	
10-3	RETURN on grnshmt summons; srvd John A. Baker, chrmn of Bd of Commercial Bk & Trust Co on 9-29-89. dh (Antiques, Inc.)	
10-3	RETURN on grnshmt summons; srvd John A. Baker, chrmn of Bd of Commercial Bk & Trust Co on 9-29-89. dh (James C. Leake)	
10-3	RETURN on grnshmt summons; srvd Jerry Hudson, Pres of 4th Natl Bk of Tulsa on 9-29-89. dh (Antiques, Inc.)	
10-3	RETURN on grnshmt summons; srvd Jerry Hudson, Pres of 4th Natl Bk of Tulsa on 9-29-89. dh (James C. Leake)	
10-6	<b>GARNISHEE'S ANSWER</b> OF Charles W. Gotwals. nm	
10-17	CORPORATION RETURN on summons, srvd Antiques, Inc on 9-30-89. dh (Fees: \$25)	
10-17	RETURN on ord/appear; srvd James C. Leake on 9-30-89. dh (Fees: \$25)	
10-17	RETURN on ord/appear; srvd W. M. "Mac" Durnil, II on 10-03-89. dh (Fees: \$25)	
10-18	MIN DEFT APPEARS for hrg, sworn & hrg conducted. Recog back 11-15-89 @ 9:00 am. (JLW-MAG)j	
10-19	APPLICATION of pltfs & brief to pay money into court. ag (2 O's to J)	
10-20	ANSWER of garnishee Commercial Bank & Trust Co. hm	
10-30	ORDER granting pltfs' appl. that the Garnishee, Citizens Nat'l of Muskogee pty to the office of the ct. clk. sum of \$6,228.45. ag (TRB-J) c/m	
10-30	ORDER granting pltf's appl. that the garnishee, Commercial Bank pty to the Ct. Clk. the sum of \$236.60. ag (TRB-J) c/m	

DATE	PROCEEDINGS	Date Order or Judgment Noted
1989		
11-3	ELECTION of pltfs to take issue w/garnishee's ans. purs. to 12 O.S. Sect. 1177 & appl. to set garnishee's ans. for hrg. ag	
11-07	NOTICE of pltf of recds depos of John A. Baker as chrmn of Commercial Bank & Trust Co. on 11-14-89 at 1:30 p.m. S/I. dh	
11-07	APPLICATION of pltfs to disb monies on dep w/Ct. Clk. (02J) dh	
11-08	RETURN on garnishee's answ; srvd Judy Robertson, Head cashier of Commercial Bk & Trust Co. on 11-06-89. dh	
11-08	RETURN on garnishee's answ; srvd Ted J. Nelson, atty, on 11-06-89. dh	
11-14	MOTION of pltfs, Braunstein & Hoberman, to compel & brf. dh	
11-15	APPLICATION of pltfs, Braunstein & Hoberman for appt. of recvr. (NO O) dh	
11-15	RETURN on depo subpoena unexecuted. nm	
11-15	MIN ASSET HRG held before Mag. Wolfe, Ct directs ptys to get copy of sett agreem.	(JSW-MAG) j
11-16	NOTICE of pltf of depo of John Baker on 12-4-89 at 1:30 p.m. S/I nm	
11-16	NOTICE of pltf of records depo of Commercial Bank & TRust on 12-1-89 at 1:30 p.m. S/I nm	
11-17	ORDER that the Ct. Clk disbrse to the pltfs Lester Braunstein & Ben Hoberman, the sum of \$6,465.05 purs to certain garnishmt summons issued to the garnishees, Commercial Bk & Trust Co & Citizens Nat'l Bk. & Trust of Muskogee. (TRB-J) c/m2mvt dh	
11-20	WRIT OF EXECUTION issued on 11-20-89 (James C. Leake). dh	
11-20	APPLICATION of deft, Antiques, Inc to modify restraining ord. (NO O per Wolfe) dh	
11-20	MEMORANDUM RESPONSE of pltfs to applic to mod restraining ord. dh	
11-20	ADDENDUM to above item (memo resp of pltfs). dh (Bound-laying next to file)	
11-21	NOTICE of pltf to take depos of the custodian of docs of Touche Ross & Co., on 12-4-89 at 1:30 p.m. dh S/I	
11-22	AMENDED NOTICE of pltf to take depos of the custodian of docs of Touche Ross & Co. on 11-28-89 at 1:30 p.m. dh	
11-22	RETURN on depos subp; srvd Ramez Hakim, Managing partner for Touche Ross & Co on 11-21-89 by PS; Fees \$35.00. dh	
11-22	NOTICE of pltf to take depos of the custodian of docs of Deloitte, Haskins, and Sells on 11-29-89 at 1:30 p.m. dh S/I	
11-24	WITHDRAWAL of deft, Antiques, Inc. of applic/modify restraining ord. dh	
11-27	RETURN on depos subp; srvd Bill Beatty, Ofcr on 11-22-89 by PS. dh (Fees: \$35)	

DATE	PROCEEDINGS	Date Order or Judgment Noted
<u>1989</u>		
11-28	NOTICE of pltf to take depos of custodian of docs of Fourth National Bank of Tulsa on 12-21-89 at 1:00 p.m. dh S/I.	
11-28	NOTICE of pltf to take depos of custodian of docs of First National Bank & Trust Co. on 12-21-89 at 3:00 p.m. dh S/I.	
11-28	RETURN on depos subp; srvd Myra Trahern VP of First Natl Bk & Trust Co by PS on 11-28-89. dh	
11-28	RETURN on depos subp; srvd Jerry Fowler, VP of Fourth Natl Bk of Tulsa by PS on 11-28-89. dh	
11-30	RESPONSE of defts Antiques, Inc. and James C. Leake to mot/compel. dh	
11-30	APPLICATION of pltfs, L. Braunstein and B. Hoberman and brf for an ord req Deloitte, Haskins & sells to discls inform used to prep Antiques, Inc. and J.C. Leake's tax rtns. dh	
11-30	SWORN STATEMENT AND OBJECTION of James c. Leak and Antiques, Inc., defts, to relse of recds. dh	
12-1	NOTICE of pltf to take depos. of Marjorie Leake on 12-8-89. ag	
12-4 MIN	ASSET HRG HELD. Pers. Bkruptcy filing of J. Leake noted and further actions herein are thus stayed; assets hrg on Antiques held; Rest. O. continued in effect for Antiques; ptys to submit agreed O. appting REceiver on or before 12-5-89. (JSW_MAG) jcm #463	
12-11	RETURN on sub; served Zaretta Travis on 12-2-89. hm	
12-12	RETURN on supb. served Zereta Travis on 11-20-89 by process server. ag	
12-14	U.S. marshals return on execution served <b>James</b> C. Leake on 12-4-89. ag	
<u>1990</u> <del>3-21</del>	PARTIAL RELEASE of pltfs of jdgmt. dh	
5-1	GARNISHMENT AFFIDAVIT of Douglas R. Haughey. S/I. dh	
5-14	RETURN on garnshmt summns; srvd Wm. M. Durnil II on 5-9-90. dh	
5-14	ANSWER of garnishee, Wm. M. Durnil, II. dh	
5-23	PARTIAL RELEASE of pltfs Lester Braunstein & Ben Hoberman of jdgmt. insofar as certn prop. dh	
5-29	ELECTION of pltfs to take issue w/garnishee's answ purs to 12 O.S. sect. 1177 & applic/set garnishee's answ/hrq. dh (Cpy/ds 2 MAG)	
<u>1991</u>		

DATE	PROCEEDINGS	Date Order or Judgment Noted
<u>1991</u>		
1-10	MO HRG SET before Mag. Wagner on 2-20-91 @ 10:00 am on Pltfs election to take issue w/garnishee's answer, & asset hrg if needed. (JLW-MAG)j ntc mld	
1-22	MOTION of defense couns, William M. Bonney to w/draw as couns. (025)dh <i>mab</i>	
1-30	ORDER that asset hrg set 2-20-91 @ 10:00 a.m. will also include hrg on pltf's election to take issue w/garnishee's ans & mo/withdraw of deft counsel Bonney. (JLW-MAG)hm (c/m)	
2-8	MO HRG SET BOEFRE Mag. Wagner on 2-20-91 is stricken and reset for 3-20-91 @ 10 am. (JLW-MAG)j ntc mld	
2-12	MOTION of pltfs to w/draw pltf's election to take issue w/garnishee's ans. dh (Garnishee: William M. Durnil, II)	
2-12	MOTION of pltfs to w/draw pltf's election to take issue w/garnishee's ans. dh (Garnishee: Commercial Bk & Trust Co)	
2-22	ORDER tht pltfs' mots/withdraw pltf's election/take issue w/garnishee's answers are GRNTD & hrg re: elections/take issue w/garn's ans on 3-20-91 at 10:00am is stricken; Wm. Bonney's mot/withdraw as couns remns set/hrge on 3-20-91 at 10:00am. (JLW-MAG) c/m dh	
3-20	MIN ASSET HRG STRICKEN and reset for 4-17-91 @ 10:00 on mot/of defense counsel to withdraw only. (JLW-MAG)j	
3-25	Appl/Wm. Bonney to cont. hrg on movant's req/wd counsel. rm	
3-25	ORDER continuing hrg on appl/wd to 4/17/91, 10 a.m. Movant to mail copies (JLW-Mag) rm c/movant	
3-29	AFFIDAVIT of mlg of above Order. hm	
4-17	MIN HRG HELD before Mag. Wagner on Mot/defense counsel to w/draw as counsel of record: there being no opposition to the motion: granted. (JLW-MAG)j tape 1464	